

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK

LOUIS BRIAN OLESEN, II, )  
BARBARA OLESEN, )  
AMERICAN SHOOTERS SUPPLY, INC., )  
 )  
Plaintiffs, )

06-CV-0959FJS/DRH

v. )

JOHN MORGAN, Special Agent of )  
the Federal Bureau of Alcohol, )  
Tobacco and Firearms, )  
 )  
Defendant. )

DECLARATION OF PATRICIA POWER,  
CHIEF, FEDERAL FIREARMS LICENSING CENTER,  
BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

I, Patricia Power, pursuant to 28 U.S.C. ' 1746, do hereby  
declare and say as follows:

1. I am Chief, Federal Firearms Licensing Center, Bureau of  
Alcohol, Tobacco, Firearms and Explosives (ATF), United States  
Department of Justice, Martinsburg, West Virginia. In my  
capacity as Chief, I have immediate legal custody of the records  
of the Bureau of Alcohol, Tobacco, Firearms and Explosives,  
pertaining to Federal firearms licenses (FFL) for all persons who  
make application for or are issued such licenses, including  
within the State of New York, to engage in business as firearms  
or ammunition importers, manufacturers, dealers, or collectors.

2. In my capacity as Chief, Federal Firearms Licensing Center, I have reviewed the records concerning the firearms licenses applied for and issued to Louis Brian Olesen, II, Barbara Jean Olesen, American Shooter Supply, Inc., BJ Partners LLC, Guns, Inc., and James R. Frampton. The records of Federal Firearms Licensing Center indicate in relevant part the following information as set out in paragraphs 3 through 12.

3. On July 6, 1999, **James R. Frampton** was issued an FFL for premises located at 1777 Central Avenue, Albany, New York (license later amended to 1814 Central Avenue, Albany, New York) and listed **American Tactical Systems** as the business or trade name. Mr. Frampton was the only responsible person listed on the application. On July 6, 1999, ATF issued **FFL No. 6-14-35209** to **James R. Frampton**. Mr. Frampton surrendered his license through his attorney on April 18, 2003.

4. By application dated September 1, 2002, James Frampton, on behalf of the limited liability corporation, **BJ Partners LLC**, applied for an FFL, naming James Frampton and Louis Brian Olesen, II, as "members" of the corporation. The application was for premises located at 1814 Central Avenue, Albany, New York, and listed **B&J Shooting Supplies** as the business or trade name. By letters dated January 6, 2003, Messrs. Frampton and Olesen, on behalf of BJ Partners LLC, withdrew the FFL application.

5. By application dated December 27, 2002, **Louis Brian**

**Olesen, II**, applied for an FFL for premises located at 1814 Central Avenue, Albany, New York, listing **B&J Guns** as the business or trade name. On or about April 2003, Mr. Olesen withdrew his application for a federal firearms license, and provided ATF a handwritten note. The note states that "Due to the unwillingness of our landlord to allow continuance of our lease at 1814 Central Ave and the fact that a premise is required for the issuance of a federal firearms license I am forced to withdraw my application."

6. In May, 2003, **Guns, Inc.** applied for an FFL for premises located at 1702 Central Avenue, Albany, New York. The application is dated May 7, 2003, and was submitted by Barbara Jean Olesen, President. Barbara Jean Olesen was the only person listed on the application. This application was received by the Federal Firearms Licensing Center on May 28, 2003.

7. On July 23, 2003, ATF's Office of Field Operations conducted an application inspection. At the time of inspection, **Barbara Jean Olesen** changed the application from a corporation to individually owned and added **American Shooter Supply** as a trade or business name. On August 29, 2003, ATF issued FFL 6-14-00500 to **Barbara Jean Olesen**.

8. By application dated September 13, 2004, Louis **Brian Olesen, II**, applied for an FFL listing **Guns, Inc.** as a business or trade name, for premises located at 350 Columbia Turnpike,

East Greenbush, New York. ATF received this application on or about November 30, 2004. Louis Brian Olesen, II was the only responsible person listed on the application.

9. On February 15, 2005, ATF conducted an application inspection. At the time of inspection, Mr. Olesen changed the name of the applicant to **Guns, Inc.**, and added **B&J Guns East** as the business or trade name. Brian Olesen is listed as President and the only responsible person associated with the business on the application. On July 6, 2005, ATF issued FFL 6-14-00696 to **Guns, Inc.**

10. On February 4, 2009, ATF conducted a compliance inspection of FFL 6-14-00500 for **Barbara Jean Olesen**. At the time of inspection ATF was advised the business had incorporated as **American Shooter Supply, Inc. (ASSI)**.

11. By application dated March 17, 2009, **ASSI** applied for a Federal firearms license for premises located at 1702 Central Avenue, Albany, New York, with a trade or business name of **B&J Guns**. The application lists Barbara Jean Olesen as the sole owner. ATF received the application on or about April 8, 2009. ATF issued FFL 6-14-01196 to **American Shooter Supply, Inc.** on June 17, 2009.

12. I have also caused the records to be searched for applications submitted by or licenses issued to **B&J Guns, Inc.** This office was unable to locate any records that the corporate

entity **B&J Guns, Inc.** ever applied for or was issued a Federal firearms license to do business at 1814 Central Avenue, Albany, New York, or anywhere else in Albany, New York.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 21st day of September, 2009.

S/Patricia Power  
Patricia Power  
Chief  
Federal Firearms Licensing Center